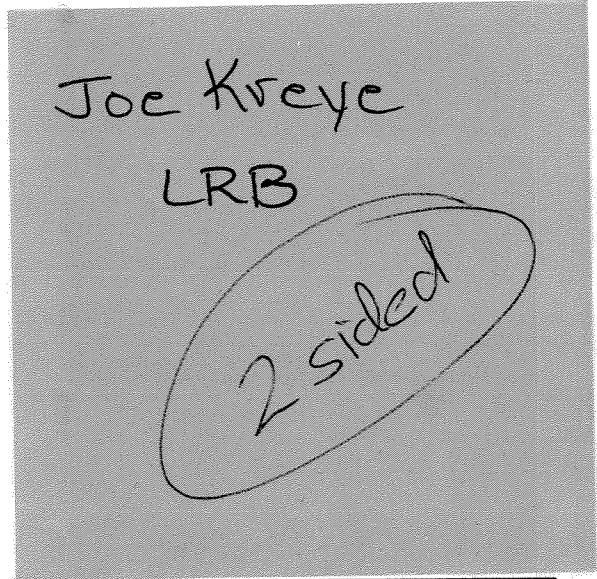


DOA:.....Koskinen, BB0079 – Internal Revenue Code update

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION



1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
TAXATION

INCOME TAXATION

This bill adopts, for state income and franchise tax purposes, changes made to the Internal Revenue Code by Public Law 108-27, the Jobs and Growth Tax Relief Reconciliation Act, not including changes related to bonus depreciation and expensing provisions and an increase in the alternative minimum tax exemption; Public Law 108-121, the Military Family Tax Relief Act; Public Law 108-173, the Medicare Prescription Drug, Improvement and Modernization Act, not including changes related to health savings accounts; Public Law 108-311, the Working Families Tax Relief Act; and Public Law 108-357, the American Jobs Creation Act.

Under current law, spouses that file a joint income tax return are both liable for the payment of any tax related to that return. However, DOR may relieve a person of any tax liability related to a joint return, in a manner specified by the Internal Revenue Code and adopted by this state. Generally, DOR may relieve a person of any tax liability related to a joint return if the person's spouse did not notify the person of any tax liability or understatement of taxes related to the joint return. This bill corrects an outdated reference to the sections of the Internal Revenue Code that relate to a spouse's tax liability for a joint income tax return. The bill also requires a spouse to apply for relief from tax liability within two years from the date on which DOR begins collection activities on the spouse's tax liability or within two years from the effective date of the provision, whichever is later.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 ~~or~~ **SECTION 1.** 71.01 (6) (j) of the statutes is repealed.

2 ~~or~~ **SECTION 2.** 71.01 (6) (k) of the statutes is repealed.

3 **SECTION 3.** 71.01 (6) (L) of the statutes is amended to read:

4 71.01 (6) (L) For taxable years that begin after December 31, 1996, and before
5 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
7 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,
11 P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
12 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding

X13 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, excluding
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X14 section 109 of P.L. 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 108-357,
excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
15 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280,

16 P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
17 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
18 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
19 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202
20 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.

1 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,
2 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
3 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
4 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311,~~
5 ~~107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121,~~
6 ~~and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of~~
7 ~~P.L. 108-357,~~
8 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
9 federal purposes. Amendments to the federal Internal Revenue Code enacted after
10 December 31, 1996, do not apply to this paragraph with respect to taxable years
11 beginning after December 31, 1996, and before January 1, 1998, except that
12 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.
13 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
14 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
15 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
16 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and~~
17 ~~108–121, excluding section 109 of P.L. 108–121,~~ and changes that indirectly affect P.L.
18 ~~108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,~~
19 the provisions applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L.
20 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
21 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
22 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
23 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and~~
24 ~~108–121, excluding section 109 of P.L. 108–121,~~ apply for Wisconsin purposes at the ~~P.L. 108-~~
25 ~~357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,~~
 same time as for federal purposes.

20 **SECTION 4.** 71.01 (6) (m) of the statutes is amended to read:

21 71.01 (6) (m) For taxable years that begin after December 31, 1997, and before
22 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
23 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
24 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
25 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203

1 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
2 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36,
3 P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.
4 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
5 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding
6 P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
7 section 109 of P.L. 108–121, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 108–357,
8 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
9 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280,
10 P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
11 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
12 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
13 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202
14 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
15 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
16 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
17 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
18 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section
19 P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
20 109 of P.L. 108–121, The Internal Revenue Code applies for Wisconsin purposes at P.L. 108–357,
21 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357
22 the same time as for federal purposes. Amendments to the federal Internal Revenue
23 Code enacted after December 31, 1997, do not apply to this paragraph with respect
24 to taxable years beginning after December 31, 1997, and before January 1, 1999,
25 except that changes to the Internal Revenue Code made by P.L. 105–178, P.L.
 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections
 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L.
 P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121, and changes that P.L. 108–357,
 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,

1 indirectly affect the provisions applicable to this subchapter made by P.L. 105–178,
2 P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding
3 sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.
4 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
5 P.L. 108–311, ~~excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
and P.L. 107–181, ~~and P.L. 108–121, excluding section 109 of P.L. 108–121,~~ apply for P.L.
6 ~~108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,~~
Wisconsin purposes at the same time as for federal purposes.

7 **SECTION 5.** 71.01 (6) (n) of the statutes is amended to read:

8 71.01 (6) (n) For taxable years that begin after December 31, 1998, and before
9 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear
10 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
11 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
12 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
13 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
14 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
16 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

17 ~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and P.L.~~
~~107–181, and P.L. 107–276, and P.L. 108–121, excluding section 109~~

18 ~~of P.L. 108–121, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, 108–357,~~
~~excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,~~
19 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508,
20 P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
21 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
22 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
23 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
24 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
25 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.

1 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
2 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
X3 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and P.L. 108–121,
P.L. 108–311, ~~excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and P.L. 108–357,~~
X4 excluding section 109 of P.L. 108–121. The Internal Revenue Code applies for
~~excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357~~
5 Wisconsin purposes at the same time as for federal purposes. Amendments to the
6 federal Internal Revenue Code enacted after December 31, 1998, do not apply to this
7 paragraph with respect to taxable years beginning after December 31, 1998, and
8 before January 1, 2000, except that changes to the Internal Revenue Code made by
9 P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and
10 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,
11 P.L. 107–147, ~~excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.~~
P.L. 108–311, ~~excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and P.L.~~
X12 107–276, and P.L. 108–121, excluding section 109 of P.L. 108–121, and changes that
~~excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357,~~
13 indirectly affect the provisions applicable to this subchapter made by P.L. 106–36,
14 P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.
15 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
16 107–147, ~~excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.~~
P.L. 108–311, ~~excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
X17 107–276, and P.L. 108–121, excluding section 109 of P.L. 108–121, apply for P.L. 108–357
18 Wisconsin purposes at the same time as for federal purposes.

19 **SECTION 6.** 71.01 (6) (o) of the statutes is amended to read:

20 **71.01 (6) (o)** For taxable years that begin after December 31, 1999, and before
21 January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear
22 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
23 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
24 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
25 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

- X 1 104–188,^{and} as amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165
2 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
3 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of
4 P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
5 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
X 6 section 109 of P.L. 108–121, P.L. 108–311, and P.L. 108–357, and as indirectly
excluding Sections 101, 201, 244, 334, 337, 409, 910 of P.L. 108–357,
7 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
8 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227,
9 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
10 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
11 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L.
12 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
13 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
14 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding
16 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
17 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
18 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
X 19 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, and P.L.
excluding Sections 101, 201, 244, 334, 337, 409, 910 of P.L. 108–357
X 20 108–357, The Internal Revenue Code applies for Wisconsin purposes at the same
21 time as for federal purposes. Amendments to the federal Internal Revenue Code
22 enacted after December 31, 1999, do not apply to this paragraph with respect to
23 taxable years beginning after December 31, 1999, and before January 1, 2003,
24 except that changes to the Internal Revenue Code made by P.L. 106–230, P.L.
25 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,

1 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
2 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,
3 P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202
4 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
5 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, and
6 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
7 P.L. 108–357, and changes that indirectly affect the provisions applicable to this
8 excluding sections 162 and 165 of P.L. 106–554,
9 subchapter made by P.L. 106–230, P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding
10 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
11 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
12 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
13 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
14 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, and P.L.
15 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
16 P.L. 108–357, apply for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 7.** 71.01 (6) (p) of the statutes is amended to read:

13 71.01 (6) (p) For taxable years that begin after December 31, 2002, and before
14 January 1, 2004, for natural persons and fiduciaries, except fiduciaries of nuclear
15 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
16 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
17 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
18 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
19 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
20 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended by P.L. 108–27,
21 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
22 P.L. 108–203, P.L. 108–218,
23 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
24 excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
25 P.L. 108–311, and P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203,
 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280,
 P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.

1 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
2 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
3 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202
4 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
5 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
6 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
7 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.
8 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L.
9 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding
10 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.

P.L. 108–203, P.L. 108–218, ^{excluding sections 306, 307, 308, 401, and 403(a)}

X11 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–311, and P.L.
^{of P.L. 108–311,}
^{excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357,}

X12 108–357. The Internal Revenue Code applies for Wisconsin purposes at the same
13 time as for federal purposes. Amendments to the federal Internal Revenue Code
14 enacted after December 31, 2002, do not apply to this paragraph with respect to
15 taxable years beginning after December 31, 2002, and before January 1, 2004,
16 except that changes to the Internal Revenue Code made by P.L. 108–27, excluding
17 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.

P.L. 108–203, P.L. 108–218, ^{excluding sections 306, 307, 308,}

X18 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–311, and P.L.
^{401, and 403(a) of P.L. 108–311,}
^{excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357,}

X19 108–357, and changes that indirectly affect the provisions applicable to this
20 subchapter made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27,

21 P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section

P.L. 108–203, P.L. 108–218, ^{excluding sections 306, 307, 308, 401, and 403(a) of P.L.}

X22 108–311, 108–311, and P.L. 108–357, apply for Wisconsin purposes

^{of P.L. 108–311, 108–311, and 403(a) of P.L. 108–357,}
^{excluding sections 101, 201, 244, 336, 337, 909,}

23 and 910 of P.L. 108–357,

24 **SECTION 8.** 71.01 (6) (q) of the statutes is created to read:

1 **71.01 (6) (q)** For taxable years that begin after December 31, 2003, and before
2 January 1, 2005, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
4 Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section

8 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L.
~~section 109 of P.L. 108–121, and section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218,~~
~~excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and as amended by P.L. 108–357, and as indirectly affected P.L. 108–311,~~
~~excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357, and P.L. 108–476,~~
9 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,

10 P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding

11 sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66,

12 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,

13 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188,

14 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.

15 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.

16 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections

17 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.

18 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101

19 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,

20 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section

~~P.L. 108–203, P.L. 108–218,~~

21 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
~~excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,~~

22 108–311, and P.L. 108–357. The Internal Revenue Code applies for Wisconsin

~~> excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357, and P.L. 108–476,~~

23 purposes at the same time as for federal purposes. Amendments to the federal

24 Internal Revenue Code enacted after December 31, 2003, do not apply to this

1 paragraph with respect to taxable years beginning after December 31, 2003, and
2 before January 1, 2005, except that changes to the Internal Revenue Code made by

X 3 P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121,

X 4 excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.

X 5 P.L. 108-173, P.L. 108-311, and P.L. 108-357, and changes that indirectly affect the

X 6 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,

provisions applicable to this subchapter made by P.L. 108-27, excluding sections

X 7 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,

X 8 P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357,

X 9 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-476,

apply for Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 9.** 71.01 (6) (r) of the statutes is created to read:

11 **71.01 (6) (r)** For taxable years that begin after December 31, 2004, for natural
12 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
13 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
14 as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.
15 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
16 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
17 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section

18 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, and section 1201 of

19 sections 306, 308, 401, and 403(d) of P.L. 108-311, and sections 101, 244, 336,

337, 909, and 910 of P.L. 108-357, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647,

20 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508,

21 P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.

22 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),

23 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.

24 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),

25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

1 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
2 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,
3 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
4 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.
5 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and
6 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.
7 ~~P.L. 108–203, P.L. 108–218, excluding sections 306, 308, 401, and 403(a) of P.L. 108–311,~~
8 ~~108–173, P.L. 108–311, and P.L. 108–357, The Internal Revenue Code applies for~~
9 ~~, excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357, and P.L.~~
10 Wisconsin purposes at the same time as for federal purposes. Amendments to the
11 federal Internal Revenue Code enacted after December 31, 2004, do not apply to this
12 paragraph with respect to taxable years beginning after December 31, 2004.

11 **SECTION 10.** 71.10 (6) (a) of the statutes is amended to read:

12 71.10 (6) (a) *Joint returns.* Persons filing a joint return are jointly and severally
13 liable for the tax, interest, penalties, fees, additions to tax and additional
14 assessments under this chapter applicable to the return. ~~A Except as provided in~~
15 par. (e), a person shall be relieved of liability in regard to a joint return in the manner
16 specified in section 6013 (e) ~~6015 (a) to (d) and (f)~~ of the ~~internal revenue code~~,
17 notwithstanding the amount or percentage of the understatement Internal Revenue
18 Code.

19 **SECTION 11.** 71.10 (6) (b) of the statutes is amended to read:

20 71.10 (6) (b) *Separate returns.* ~~A Except as provided in par. (e), a spouse filing~~
21 a separate return may be relieved of liability for the tax, interest, penalties, fees,
22 additions to tax and additional assessments under this chapter ~~with regard to~~
23 unreported marital property income in the manner specified in section 66 (c) of the
24 internal revenue code Internal Revenue Code. The department may not apply ch.
25 766 in assessing a taxpayer with respect to marital property income the taxpayer did

1 not report if that taxpayer failed to notify the taxpayer's spouse about the amount
2 and nature of the income before the due date, including extensions, for filing the
3 return for the taxable year in which the income was derived. The department shall
4 include all of that marital property income in the gross income of the taxpayer and
5 exclude all of that marital property income from the gross income of the taxpayer's
6 spouse.

7 **SECTION 12.** 71.10 (6) (e) of the statutes is created to read:

8 **71.10 (6) (e)** *Application for relief.* A person who seeks relief from liability
9 under par. (a) or (b) shall apply for relief with the department, on a form prescribed
10 by the department, within 2 years after the date on which the department first
11 begins collection activities after the effective date of this paragraph [revisor
12 inserts date].

13 **SECTION 13.** 71.10 (6m) (a) of the statutes is amended to read:

14 **71.10 (6m) (a)** A Except as provided in par. (c), a formerly married or remarried
15 person filing a return for a period during which the person was married may be
16 relieved of liability for the tax, interest, penalties, fees, additions to tax and
17 additional assessments under this chapter for unreported marital property income
18 from that period as if the person were a spouse under section 66 (c) of the internal
19 revenue code Internal Revenue Code. The department may not apply ch. 766 in
20 assessing the former spouse of the person with respect to marital property income
21 that the former spouse did not report if that former spouse failed to notify the person
22 about the amount and nature of the income before the due date, including extensions,
23 for filing the return for the taxable year during which the income was derived. The
24 department shall include all of that marital property income in the gross income of

1 the former spouse and exclude all of that marital property income from the gross
2 income of the person.

3 **SECTION 14.** 71.10 (6m) (c) of the statutes is created to read:

4 **71.10 (6m) (c)** A person who seeks relief from liability under par. (a) shall apply
5 for relief with the department as provided under sub. (6) (e).

6 ~~✓ SECTION 15.~~ 71.22 (4) (j) of the statutes is repealed.

7 ~~✓ SECTION 16.~~ 71.22 (4) (k) of the statutes is repealed.

8 **SECTION 17.** 71.22 (4) (L) of the statutes is amended to read:

9 **71.22 (4) (L)** Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
10 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
11 December 31, 1996, and before January 1, 1998, means the federal Internal
12 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
13 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
14 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
15 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
16 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
17 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections

18 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section

~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,~~

X 19 109 of P.L. 108–121, and as indirectly affected in the provisions applicable to this

~~909,~~

20 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2)
21 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
22 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
23 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
24 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
25 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.

1 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
2 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
3 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
4 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.

5 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
6 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,~~
~~108-121, excluding section 109 of P.L. 108-121.~~ The Internal Revenue Code applies
909,

7 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
8 federal Internal Revenue Code enacted after December 31, 1996, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 1996, and
10 before January 1, 1998, except that changes to the Internal Revenue Code made by
11 P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,
12 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
13 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

14 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121.
15 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,~~
16 and changes that indirectly affect the provisions applicable to this subchapter made
17 909,
18 by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,
19 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
20 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

21 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121.
22 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding Sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,~~
23 apply for Wisconsin purposes at the same time as for federal purposes.
24 909,

25 **SECTION 18.** 71.22 (4) (m) of the statutes is amended to read:

26 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
27 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
28 December 31, 1997, and before January 1, 1999, means the federal Internal
29 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and

1 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
2 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
3 and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
4 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
5 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections

X6 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
X7 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
109 P.L. 108–121, and as indirectly affected in the provisions applicable to this
909

8 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2)
9 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
10 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
11 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
12 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
13 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
14 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
15 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
16 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
17 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
18 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

X19 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121,
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
20 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
The Internal Revenue Code applies for Wisconsin purposes at the same time as for
409,

21 federal purposes. Amendments to the federal Internal Revenue Code enacted after
22 December 31, 1997, do not apply to this paragraph with respect to taxable years
23 beginning after December 31, 1997, and before January 1, 1999, except that
24 changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.
25 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of

1 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
X 2 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X 3 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
108-121, excluding section 109 of P.L. 108-121, and changes that indirectly affect
909,
4 the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L.
5 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
6 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
X 7 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X 8 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
909,
9 same time as for federal purposes.

10 **SECTION 19.** 71.22 (4) (n) of the statutes is amended to read:

11 **71.22 (4) (n)** Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
12 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
13 December 31, 1998, and before January 1, 2000, means the federal Internal
14 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
15 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
16 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
17 and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding
18 sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.
19 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
X 20 P.L. 107-181, and P.L. 107-276, and P.L. 108-121, excluding section 109 of P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X 21 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
909,
22 by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d)
23 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
24 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
25 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.

1 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
2 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
3 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
4 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
5 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
6 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
7 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

X8 107–147, P.L. 107–181, and P.L. 107–276, ~~and P.L. 108–121, excluding section 109~~
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
~~P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357~~
~~of 108–121.~~ The Internal Revenue Code applies for Wisconsin purposes at the same
909,

10 time as for federal purposes. Amendments to the federal Internal Revenue Code
11 enacted after December 31, 1998, do not apply to this paragraph with respect to
12 taxable years beginning after December 31, 1998, and before January 1, 2000,
13 except that changes to the Internal Revenue Code made by P.L. 106–36, P.L.
14 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
15 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,

X16 ~~excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and~~
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
~~P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357,~~
~~P.L. 108–121, excluding section 109 of P.L. 108–121,~~ and changes that indirectly

18 affect the provisions applicable to this subchapter made by P.L. 106–36, P.L.
19 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
20 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,

V21 ~~excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and~~
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
~~P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,~~
~~P.L. 108–121, excluding section 109 of P.L. 108–121,~~ apply for Wisconsin purposes at
909,

23 the same time as for federal purposes.

24 **SECTION 20.** 71.22 (4) (o) of the statutes is amended to read:

1 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
2 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
3 December 31, 1999, and before January 1, 2003, means the federal Internal Revenue
4 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
5 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
6 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
7 amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.
8 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22,
9 P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
10 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27,
11 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
12 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–315
13 109 of P.L. 108–121, P.L. 108–311, and P.L. 108–357, and as indirectly affected in the
14 , excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357
15 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647
16 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
17 of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
18 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and
19 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
20 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
21 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
22 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
23 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
24 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
25 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.
 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
 P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding

1 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.
X 2 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
3 108–121, P.L. 108–311, and P.L. 108–357. The Internal Revenue Code applies for
4 , excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357
Wisconsin purposes at the same time as for federal purposes. Amendments to the
5 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this
6 paragraph with respect to taxable years beginning after December 31, 1999, and
7 before January 1, 2003, except that changes to the Internal Revenue Code made by
8 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.
9 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,
P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.
10 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding
11 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.
X 12 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
13 108–121, P.L. 108–311, and P.L. 108–357, and changes that indirectly affect the
14 excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357,
provisions applicable to this subchapter made by P.L. 106–230, P.L. 106–554,
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding
16 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
17 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
18 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
19 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, and P.L.
excluding sections 101, 201, 244, 336, 337, 909, 910 of P.L. 108–357,
108–357, apply for Wisconsin purposes at the same time as for federal purposes.

20 **SECTION 21.** 71.22 (4) (p) of the statutes is amended to read:

21 71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
22 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
23 December 31, 2002, and before January 1, 2004, means the federal Internal Revenue
24 Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
25 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,

1 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,
2 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and
3 section 101 of P.L. 107–147, and as amended by P.L. 108–27, excluding sections 106,
4 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.
5 P.L. 108–203, P.L. 108–218, excluding sections 306, 307, 308,
108–173, excluding section 1201 of P.L. 108–173, P.L. 108–311, and P.L. 108–357, and
excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
6 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
7 P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
8 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
9 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
10 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
11 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
12 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
13 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
14 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
15 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections
16 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.
17 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101
18 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
19 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
20 P.L. 108–203, P.L. 108–218,
section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, and
excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
21 P.L. 108–311, and P.L. 108–357. The Internal Revenue Code applies for Wisconsin
22 purposes at the same time as for federal purposes. Amendments to the federal
23 Internal Revenue Code enacted after December 31, 2002, do not apply to this
24 paragraph with respect to taxable years beginning after December 31, 2002, and
25 before January 1, 2004, except that changes to the Internal Revenue Code made by

1 P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121,
2 excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
3 P.L. 108-203, P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L.
X 3 108-173, P.L. 108-311, and P.L. 108-357, and changes that indirectly affect the 108-311,
4 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
provisions applicable to this subchapter made by P.L. 108-27, excluding sections
5 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,
6 P.L. 108-203, P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311,
7 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
apply for Wisconsin purposes at the same time as for federal purposes.

8 **SECTION 22.** 71.22 (4) (q) of the statutes is created to read:

9 71.22 (4) (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
10 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
11 December 31, 2003, and before January 1, 2005, means the federal Internal Revenue
12 Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.
13 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
14 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
15 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section
16 101 of P.L. 107-147, and sections 106, 201, and 202 of P.L. 108-27, and as amended
17 by P.L. 108-203, P.L. 108-218, P.L. 108-311, and P.L. 108-357, and as indirectly affected in the provisions
18 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding
19 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514
20 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
21 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
22 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
24 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

1 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
2 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,
3 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
4 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.
5 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and
6 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,
7 *P.L. 108-203, P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311,*
8 excluding section 1201 of P.L. 108–173, *P.L. 108-311, and P.L. 108-357.* The Internal
9 Revenue Code applies for Wisconsin purposes at the same time as for federal *476*
10 purposes. Amendments to the federal Internal Revenue Code enacted after
11 December 31, 2003, do not apply to this paragraph with respect to taxable years
beginning after December 31, 2003, and before January 1, 2005, except that changes
12 to the Internal Revenue Code made by *P.L. 108–27, excluding sections 106, 201, and*
13 *202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,*
14 *P.L. 108-203, P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311,*
15 *excluding section 1201 of P.L. 108–173, P.L. 108–311, and P.L. 108–357, and changes*
16 *, excluding sections 101, 201, 244, 336, 337, 909, 949, 950, 910 of P.L. 108-357, and P.L. 108-476,*
17 *that indirectly affect the provisions applicable to this subchapter made by P.L.*
18 *108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding*
19 *section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173,*
20 *P.L. 108-203, P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311,*
21 *P.L. 108–311, and P.L. 108–357, apply for Wisconsin purposes at the same time as*
22 *excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-476,*
23 **SECTION 23.** 71.22 (4) (r) of the statutes is created to read:

24 71.22 (4) (r) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
December 31, 2004, means the federal Internal Revenue Code as amended to
December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227, sections
13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),

sections 1, 3, 4, and 5 of

1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and

165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section 101 of P.L.

~~sections 306, 308, 401, and 403(a) of P.L. 108-311, and sections 101, 201, 244,
336, 337, and 910 of P.L. 108-357,~~ 107-147, sections 106, 201, and 202 of P.L. 108-27, ~~and~~ section 1201 of P.L. 108-173,

~~909,~~

and as indirectly affected in the provisions applicable to this subchapter by P.L.

99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812

(c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.

100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.

102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.

102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and

13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.

104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.

105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,

excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding

section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,

excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.

107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.

~~P.L. 108-203, P.L. 108-218, and 403(a) of P.L. 108-311,~~ ~~excluding sections 306, 308, 401,~~

108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L.

~~, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357, and P.L. 108-476~~

108-357. The Internal Revenue Code applies for Wisconsin purposes at the same

~~909,~~

time as for federal purposes. Amendments to the federal Internal Revenue Code

enacted after December 31, 2004, do not apply to this paragraph with respect to

taxable years beginning after December 31, 2004.

SECTION 24. 71.22 (4m) (h) of the statutes is repealed.

SECTION 25. 71.22 (4m) (i) of the statutes is repealed.

SECTION 26. 71.22 (4m) (j) of the statutes is amended to read:

1 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before
2 January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax
3 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
4 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
5 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
6 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188
7 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
8 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
9 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections

X10 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
X11 and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–
109 of P.L. 108–121, and as indirectly affected in the provisions applicable to this
909, 357,

12 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
13 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
14 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
16 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
17 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
18 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,
19 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
20 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

X21 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121.
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357

22 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
909,
23 federal purposes. Amendments to the Internal Revenue Code enacted after
24 December 31, 1996, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1996, and before January 1, 1998, except that

1 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
2 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
3 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
X 4 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.
X 5 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
7 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
X 9 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.
X 10 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
same time as for federal purposes.

12 **SECTION 27.** 71.22 (4m) (k) of the statutes is amended to read:

13 **71.22 (4m) (k)** For taxable years that begin after December 31, 1997, and
14 before January 1, 1999, "Internal Revenue Code", for corporations that are subject
15 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
16 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
17 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
18 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
19 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36,
20 P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
21 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding
22 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, excluding
23 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
25 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections

1 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
2 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
3 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
4 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
5 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
6 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
7 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,

8 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121,
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357
~~and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357~~
~~excluding section 109 of P.L. 108–121.~~ The Internal Revenue Code applies for
9 909,

10 Wisconsin purposes at the same time as for federal purposes. Amendments to the
11 Internal Revenue Code enacted after December 31, 1997, do not apply to this
12 paragraph with respect to taxable years beginning after December 31, 1997, and
13 before January 1, 1999, except that changes to the Internal Revenue Code made by
14 P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
16 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

17 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121.
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
18 and changes that indirectly affect the provisions applicable to this subchapter made
909,

19 by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
20 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
21 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

22 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L. 108–121.
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
23 apply for Wisconsin purposes at the same time as for federal purposes.
909,

24 **SECTION 28.** 71.22 (4m) (L) of the statutes is amended to read:

1 **71.22 (4m) (L)** For taxable years that begin after December 31, 1998, and
2 before January 1, 2000, "Internal Revenue Code", for corporations that are subject
3 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
4 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
8 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
9 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.

X 10 107–147, P.L. 107–181, and P.L. 107–276, and P.L. 108–121, excluding section 109
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
X 11 of P.O. 108–121, and as indirectly affected in the provisions applicable to this
909,

12 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
13 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
14 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
16 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
17 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
18 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
19 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
20 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,

X 21 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
X 22 of P.L. 108–121, excluding section 109 of P.L. 108–121. The Internal Revenue Code
909,

23 applies for Wisconsin purposes at the same time as for federal purposes.

24 Amendments to the Internal Revenue Code enacted after December 31, 1998, do not

25 apply to this paragraph with respect to taxable years beginning after

1 December 31, 1998, and before January 1, 2000, except that changes to the Internal
2 Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
3 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
4 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.

X5 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, excluding section 109
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311,
and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
of P.L. 108-121, and changes that indirectly affect the provisions applicable to this
909,

7 subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
8 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
9 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.

X10 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, excluding section 109
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
of P.L. 108-121, apply for Wisconsin purposes at the same time as for federal
909,

12 purposes.

13 **SECTION 29.** 71.22 (4m) (m) of the statutes is amended to read:

14 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and
15 before January 1, 2003, "Internal Revenue Code", for corporations that are subject
16 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
17 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
18 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
19 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
20 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and
21 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16,
22 P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and
23 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.

24 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding

25 P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of
P.L. 108-311, and P.L. 108-357, and as indirectly
excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
909,

1 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
2 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
3 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
9 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
10 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
11 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
12 107-276, and P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.

X13 P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L. 108-357,
excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,

X14 108-357. The Internal Revenue Code applies for Wisconsin purposes at the same

15 time as for federal purposes. Amendments to the Internal Revenue Code enacted
16 after December 31, 1999, do not apply to this paragraph with respect to taxable years
17 beginning after December 31, 1999, and before January 1, 2003, except that changes
18 to the Internal Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections
19 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
20 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
21 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.
22 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.

X23 P.L. 108-218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L. 108-357,
excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,

24 changes that indirectly affect the provisions applicable to this subchapter made by
25 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.

1 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,
2 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.
3 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding
4 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.
5 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
6 P.L. 108–121, P.L. 108–311, and P.L. 108–357, apply for Wisconsin purposes at the same
7 excluding sections 101, 201, 244, 336, 337, 909, and 910
8 of P.L. 108–357,
9 time as for federal purposes.

10 **SECTION 30.** 71.22 (4m) (n) of the statutes is amended to read:

11 71.22 (4m) (n) For taxable years that begin after December 31, 2002, and
12 before January 1, 2004, "Internal Revenue Code," for corporations that are subject
13 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
14 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
15 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
16 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
17 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
18 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended by P.L. 108–27,
19 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
20 P.L. 108–203, P.L. 108–218,
21 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
22 excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
23 P.L. 108–311, and P.L. 108–357, and as indirectly affected in the provisions applicable to
24 excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
25 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
26 909,
27 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
28 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
29 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
30 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
31 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
32 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.

1 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
2 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
3 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L.
4 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27,
5 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
6 P.L. 108–203, P.L. 108–218,
7 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
8 excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
9 108–311, and P.L. 108–357. The Internal Revenue Code applies for Wisconsin
10 purposes at the same time as for federal purposes. Amendments to the Internal
11 Revenue Code enacted after December 31, 2002, do not apply to this paragraph with
12 respect to taxable years beginning after December 31, 2002, and before January 1,
13 2004, except that changes to the Internal Revenue Code made by P.L. 108–27,
14 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
15 P.L. 108–203, P.L. 108–218,
16 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
17 excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
18 108–311, and P.L. 108–357, and changes that indirectly affect the provisions
19 excluding sections 101, 201, 244, 336, 337, and 909 of P.L. 108–357,
20 applicable to this subchapter made by P.L. 108–27, excluding sections 106, 201, and
21 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,
22 excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
23 P.L. 108–311, and P.L. 108–357, (excluding section 1201 of P.L. 108–173) apply for
24 excluding sections 101, 201, 244, 336, 337, and 909 of P.L. 108–357,
25 Wisconsin purposes at the same time as for federal purposes.

19 **SECTION 31.** 71.22 (4m) (o) of the statutes is created to read:

20 71.22 (4m) (o) For taxable years that begin after December 31, 2003, and
21 before January 1, 2005, “Internal Revenue Code,” for corporations that are subject
22 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
23 Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
24 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
25 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

- 1 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
X 2 431 of P.L. 107–16, section 101 of P.L. 107–147, and sections 106, 201, and 202 of P.L.
Section 109 of P.L. 108–121, and , excluding sections 306, 307, 308, 401, and
Section 1201 of P.L. 108–173, 403(a) of P.L. 108–311,
108–27, and as amended by P.L. 108–311 and P.L. 108–357, and as indirectly affected
P.L. 108–203, P.L. 108–218, ^{909,} ² excluding sections 101, 201, 244, 336, 337, and 910
in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 108–357,
100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding
section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.
107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.
108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201
P.L. 108–203, P.L. 108–218, ^{excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,}
X 17 of P.L. 108–173, P.L. 108–311, and P.L. 108–357. The Internal Revenue Code applies
^{, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–476,}
for Wisconsin purposes at the same time as for federal purposes. Amendments to the
Internal Revenue Code enacted after December 31, 2003, do not apply to this
paragraph with respect to taxable years beginning after December 31, 2003, and
before January 1, 2005, except that changes to the Internal Revenue Code made by
X 22 P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,
X 23 ^{P.L. 108–203,} ^{P.L. 108–218,} excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.
108–173, P.L. 108–311, and P.L. 108–357, ^{excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,}
X 24 ^{excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357, and P.L. 108–476,}
provisions applicable to this subchapter made by P.L. 108–27, excluding sections
909, ²

X 1 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121,
✓ 2 P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–311, and P.L. 108–357, 108–311,
3 , excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357, and P.L. 108–476
apply for Wisconsin purposes at the same time as for federal purposes.
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4 SECTION 32. 71.22 (4m) (p) of the statutes is created to read:

5 71.22 (4m) (p) For taxable years that begin after December 31, 2004, “Internal
6 Revenue Code,” for corporations that are subject to a tax on unrelated business
7 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
8 to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227, sections
9 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
10 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and
11 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section 101 of P.L.
12 107–147, sections 106, 201, and 202 of P.L. 108–27, and section 1201 of P.L. 108–173, A 201, 244,
13 336, 337, 909, and 910 of P.L. 108–357,
and as indirectly affected in the provisions applicable to this subchapter by P.L.
14 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
15 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
16 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
17 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
18 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
19 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
20 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
21 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,
22 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
23 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.
24 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and
25 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.

X 1 P.L. 108-203, P.L. 108-218, ~~excluding sections 306, 308, 401, and 403(a) of P.L. 108-311, 909, and 910 of P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,~~ and P.L. 108-173, ~~P.L. 108-311, and P.L. 108-357,~~ The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

5 ~~✓~~ SECTION 33. 71.26 (2) (b) 10. of the statutes is repealed.

6 ~~✓~~ SECTION 34. 71.26 (2) (b) 11. of the statutes is repealed.

7 SECTION 35. 71.26 (2) (b) 12. of the statutes is amended to read:

8 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and before January 1, 1998, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.

X 18 107-147, ~~excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357, 909, and 910 of P.L. 108-357, 109, and as indirectly affected in the 909,~~ 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the 909,

19 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.

1 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
2 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
3 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
4 101 and 406 of P.L. 107–147, and P.L. 107–181, ~~and P.L. 108–121, excluding section~~
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
~~P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,~~
~~109 of P.L. 108–121.~~ “net income” means the federal regulated investment company
5 ^{909,}
6 taxable income, federal real estate mortgage investment conduit taxable income,
7 federal real estate investment trust or financial asset securitization investment
8 trust taxable income of the corporation, conduit or trust as determined under the
9 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
10 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
11 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
12 104–188 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277,
13 P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.
14 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
15 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, ~~and P.L. 108–121, excluding~~
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and~~
~~P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,~~
~~section 109 of P.L. 108–121, and as indirectly affected in the provisions applicable to~~
16 ^{909,}
17 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
18 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
19 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
20 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
21 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
22 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
23 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
24 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding
25 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and

- X 1 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, excluding section 109 of P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
108-121, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is
3 required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue
4 Code as amended to December 31, 1980, shall continue to be depreciated under the
5 Internal Revenue Code as amended to December 31, 1980, and except that the
6 appropriate amount shall be added or subtracted to reflect differences between the
7 depreciation or adjusted basis for federal income tax purposes and the depreciation
8 or adjusted basis under this chapter of any property disposed of during the taxable
9 year. The Internal Revenue Code as amended to December 31, 1996, excluding
10 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
11 13174, and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,
12 and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L.
13 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
14 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
X 15 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X 16 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
17 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
18 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
19 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
20 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
21 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
22 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
23 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
24 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
25 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections

X1 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, excluding section
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
X2 109 of P.L. 108-121, applies for Wisconsin purposes at the same time as for federal
 909,
3 purposes. Amendments to the Internal Revenue Code enacted after
4 December 31, 1996, do not apply to this subdivision with respect to taxable years
5 that begin after December 31, 1996, and before January 1, 1998, except that
6 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
7 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
X9 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X10 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
 108-121, excluding section 109 of P.L. 108-121, and changes that indirectly affect
 909,
11 the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
12 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
13 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
X14 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.
P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
X15 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
 108-121, excluding section 109 of P.L. 108-121, apply for Wisconsin purposes at the
 909,
16 same time as for federal purposes.

17 **SECTION 36.** 71.26 (2) (b) 13. of the statutes is amended to read:

18 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
19 before January 1, 1999, for a corporation, conduit or common law trust which
20 qualifies as a regulated investment company, real estate mortgage investment
21 conduit, real estate investment trust or financial asset securitization investment
22 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
23 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
24 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
25 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L.

1 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
2 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.

X3 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
P.L. 108-311, excluding Sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding Sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
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5 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
6 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
7 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
8 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
9 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
11 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
12 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
13 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.

X14 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L.
P.L. 108-311, excluding Sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding Sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
909,

16 regulated investment company taxable income, federal real estate mortgage
17 investment conduit taxable income, federal real estate investment trust or financial
18 asset securitization investment trust taxable income of the corporation, conduit or
19 trust as determined under the Internal Revenue Code as amended to December 31,
20 1997, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),
21 13171 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204
22 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206,
23 P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and
24 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,
25 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and

SECTION 36

P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L. 108-357, excluding Sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357, and P.L. 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the

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provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.

P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.

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P.L. 108-311, excluding Sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L. 108-357, excluding Sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357, and P.L. 108-121, excluding section 109 of P.L. 108-121, except that property that, under s.

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71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and

- ✓ 1 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L.
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
108–121, and as indirectly affected in the provisions applicable to this subchapter
909,
- 3 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
4 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
5 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
6 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
7 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
8 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
9 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
10 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding
11 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and
12 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section 109 of P.L.
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
✓ 13 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
108–121, applies for Wisconsin purposes at the same time as for federal purposes.
909,
- 14 Amendments to the Internal Revenue Code enacted after December 31, 1997, do not
15 apply to this subdivision with respect to taxable years that begin after
16 December 31, 1997, and before January 1, 1999, except that changes to the Internal
17 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
18 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
19 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
- ✓ 20 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section
P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108–311, and
✓ 21 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,
109 of P.L. 108–121, and changes that indirectly affect the provisions applicable to
909,
- 22 this subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
23 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
24 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
25 101 and 406 of P.L. 107–147, and P.L. 107–181, and P.L. 108–121, excluding section

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X 1 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
109 of P.L. 108-121. apply for Wisconsin purposes at the same time as for federal
purposes.
X 2 909,

SECTION 37. 71.26 (2) (b) 14. of the statutes is amended to read:

4 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and
5 before January 1, 2000, for a corporation, conduit or common law trust which
6 qualifies as a regulated investment company, real estate mortgage investment
7 conduit, real estate investment trust or financial asset securitization investment
8 trust under the Internal Revenue Code as amended to December 31, 1998, excluding
9 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
11 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230,
12 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding
13 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and
X 14 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, excluding
X 15 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
section 109 of P.L. 108-121, and as indirectly affected in the provisions applicable to
909,
this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.

P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 1809, and 910 of P.L. 108-357, 107-276, and P.L. 108-121, excluding section 109 of P.L. 108-121, "net income"

means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.

11 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
X 12 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L.~~
 ~~108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357~~
 ~~107-276, and P.L. 108-121, excluding section 109 of P.L. 108-121, and as indirectly~~

13 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
14 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
15 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
16 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
17 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
18 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
19 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
20 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
21 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
22 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.

X23 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, excluding section 109

X 24 of P.L. 108-121, except that property that, under s. 71.02 (1)(c) 8. to 11., 1985 stats.,

25 is required to be depreciated for taxable years 1983 to 1986 under the Internal

1 Revenue Code as amended to December 31, 1980, shall continue to be depreciated
2 under the Internal Revenue Code as amended to December 31, 1980, and except that
3 the appropriate amount shall be added or subtracted to reflect differences between
4 the depreciation or adjusted basis for federal income tax purposes and the
5 depreciation or adjusted basis under this chapter of any property disposed of during
6 the taxable year. The Internal Revenue Code as amended to December 31, 1998,
7 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171
8 (d), 13174, and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,
9 and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L.
10 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
11 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
12 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and P.L. 108–121,
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(c) of P.L. 108–311, and~~
~~P.L. 108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,~~
13 excluding section 109 of P.L. 108–121, and as indirectly affected in the provisions
14 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
15 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
16 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
17 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
18 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
19 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
20 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
21 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections
22 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
23 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,
~~P.L. 108–311, excluding sections 306, 307, 308, 401, and 403(c) of P.L. 108–311, and P.L.~~
~~108–357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108–357,~~
24 and P.L. 107–276, and P.L. 108–121, excluding section 109 of P.L. 108–121, applies
25 for Wisconsin purposes at the same time as for federal purposes. Amendments to the

1 Internal Revenue Code enacted after December 31, 1998, do not apply to this
2 subdivision with respect to taxable years that begin after December 31, 1998, and
3 before January 1, 2000, except that changes to the Internal Revenue Code made by
4 P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and
5 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,
6 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
7 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and
P.L. 108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
107-276, and P.L. 108-121, excluding section 109 of P.L. 108-121,~~ and changes that
8 indirectly affect the provisions applicable to this subchapter made by P.L. 106-36,
9 P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.
10 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
11 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
12 ~~P.L. 108-311, excluding sections 306, 307, 308, 401, and 403(a) of P.L. 108-311, and P.L.
108-357, excluding sections 101, 201, 244, 336, 337, and 910 of P.L. 108-357,
107-276, and P.L. 108-121, excluding section 109 of P.L. 108-121,~~ apply for
13 Wisconsin purposes at the same time as for federal purposes.

14 **SECTION 38.** 71.26 (2) (b) 15. of the statutes is amended to read:

15 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and
16 before January 1, 2003, for a corporation, conduit or common law trust which
17 qualifies as a regulated investment company, real estate mortgage investment
18 conduit, real estate investment trust or financial asset securitization investment
19 trust under the Internal Revenue Code as amended to December 31, 1999, excluding
20 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
21 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
22 1605 (d) of P.L. 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding
23 sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431
24 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding
25 sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and

1 P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.
2 P.L. 108–218, excluding sections 306, 307, 308, 401, and
~~403(a) of P.L. 108–311,~~
3 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, and P.L. 108–357, and
4 excluding sections 101, 201, 244, 336, 337, 909, and 910 of
5 P.L. 108–357,
6 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 108–357,
7 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
8 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
9 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
11 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
12 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
13 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
14 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,
15 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
16 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,
17 P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202
18 P.L. 108–218, excluding sections 306, 307, 308, 401, and 403(a) of P.L.
19 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, and P.L. 108–357,
20 excluding sections 101, 201, 244, 336, 337, 909, and 910 of
21 P.L. 108–357, “net income” means the federal regulated investment company taxable
22 income, federal real estate mortgage investment conduit taxable income, federal real
23 estate investment trust or financial asset securitization investment trust taxable
24 income of the corporation, conduit or trust as determined under the Internal
25 Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and
110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
and as amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.
106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22,
P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.